

EXHIBIT B

FILED
2019 JUN 04 02:45 PM
KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 19-2-14917-5 KNT

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

DAWN L. COFFINBERRY,

Plaintiff,

vs.

WALMART INC, A FOREIGN PROFIT
CORPORATION DBA WALMART RENTON
SUPERCENTER, #2516, DOES 1-10
INCLUSIVE

Defendant

Case No.:

COMPLAINT FOR PERSONAL INJURY &
NEGLIGENT DESIGN AND OR
DEPLOYMENT OF MATERIALS

COMES NOW Dawn L. Coffinberry, Plaintiff, by and through attorneys Joshua R.

Brumley and Evan Oshan and asserts as follows:

I. PARTIES

1.1. Dawn L. Coffinberry, a single woman, is a resident of the City of Renton, within King County, State of Washington.

1.2. Walmart Inc. is a corporation organized and existing under the laws of the State of Delaware, with its principle place of business in Bentonville, Arkansas. At all times material to this action, Walmart Inc owned and managed Walmart Renton Supercenter, located at 743 Rainier Avenue South, Renton, Washington 98057, also known as Walmart Renton Supercenter Number #2516.

1.3. DOES 1-10 are as yet unknown to the Plaintiff, but through discovery are likely to become known. At such time as they do become known, this complaint will be amended to include them by name. Plaintiff anticipates including Does 1-10 as potential defendants associated with the negligent design allegation of this complaint. Does 1-10 are likely independent, licensed contractors, who improperly recommended materials, improperly installed materials, and/or improperly maintained materials deployed by Walmart Inc in the entry way of their Renton Supercenter #2516.

II. FACTS

2.1 Plaintiff realleges all previously listed facts and incorporates them here by reference.

2.2. On or about November 2, 2017, Plaintiff was invitee at Walmart Renton Supercenter #2516, entering the Defendant's premises to shop, when she was caused to slip-and-fall as a consequence of water or some other transitory substance on the floor at the entryway of the store.

2.3. Defendant knew, on in the exercise of reasonable care should have known of the condition, or Defendant created the condition, either through acts of its employees, in its negligent methods of operation, supervision and control of its employees and facilities, and Defendant should have corrected the condition or warned the Plaintiff of its existence. Additionally, the Defendant should have employed non-slip surface materials in the entry way of its store that would have prevented the foreseeable conditions which caused the Plaintiff's injuries.

2.4. As a result of the negligence of the Defendant, Plaintiff suffered permanent bodily injury, pain and suffering, mental anguish, loss of capacity for the enjoyment of life, loss

1 of earning capacity, expense of medical treatment, future diminishment of the enjoyment
2 of life, ongoing pain and suffering which will necessitate medical treatment in the future.

3 2.5. Defendants, prior to this incident, were aware of the dangers inherent in the design
4 and deployment of specific walking surfaces they chose for the entry way of this store,
5 were aware, or should have been aware that Washington State gets excessive and
6 consistent rainfall for a good part of the year, and were aware, or should have been aware
7 that surface moisture accumulation at that entry way was more likely than not to happen
8 on days it was raining; on or about the date of this incident, it had been raining.
9

10 III. FIRST CAUSE OF ACTION—NEGLIGENCE

11 3.1 Plaintiff realleges all previously listed facts and incorporates them here by reference.

12 3.2. Defendants had a duty to an invitee to maintain a premise that was reasonably safe
13 and to avoid those hazardous that were reasonably known or could have been anticipated.
14

15 3.3. The Defendants failed to adequately maintain their premise in a manner reasonably
16 free from foreseeable hazards—specifically failing to maintain an entry way into their
17 store that was free from surface moisture, such that it presented an unreasonably
18 hazardous environment that directly and proximately caused the injuries to the Plaintiff.
19

20 3.4. The Defendants' failure to maintain a premise reasonably free from foreseeable
21 hazards violated their duty to the Plaintiff, and caused the Plaintiff's injuries as alleged
22 herein.
23

24 IV. SECOND CAUSE OF ACTION—NEGLIGENT DESIGN

25 4.1 Plaintiff realleges all previously listed facts and incorporates them here by reference.

26 4.2 Defendants named, and DOES 1-10, negligently designed the front entry way of the
27 Renton Supercenter #2516, failing to reasonably protect invitees to the store, in
28

1 reasonably foreseeable wet-weather, by improperly selecting, deploying and maintaining
2 the materials used in the front entryway of the Renton Supercenter #2516.

3 4.3 The Defendant's failure to select, deploy and maintain appropriately designed
4 products in their entryway of Renton Supercenter #2516 created an unreasonably
5 hazardous design, which was, or should have been foreseeable by the Defendants.
6

7 4.4 The Defendant's had a duty to make reasonable design decisions, reasonable
8 decisions with the selection, deployment and maintenance of surface products at the entry
9 way of the Renton Supercenter #2516 and failed to do so; their failure was the direct and
10 proximate cause of the injuries suffered by the Plaintiff as alleged herein, and their failure
11 was a breach of their duty to the Plaintiff.
12

13 VI. PRAYER FOR RELIEF

14 Plaintiff, having asserted claims for relief now prays for judgment against Defendants as
15 follows:
16

- 17 1.) That the Plaintiff recover for her injuries, for all general and special damages to be
18 proven at trial;
- 19 2.) That the Plaintiff recover for all emotional trauma she suffered as a result of the
20 negligence of the Defendants;
- 21 3.) That the Plaintiff recover all costs and fees associated with bringing this action; and
22
- 23 4.) That the Court award such other and further relief it deems just and equitable in the
24 premises.

25 Dated this 06/01/2019 day of May, 2019 by:

26 

27 Joshua R. Brumley, WSBA#49851

26 

27 Evan Oshan, WSBA#30243



Audit Trail

TITLE	Coffinberry Complaint and Summons
FILE NAME	Coffinberry...050219.docx and 1 other
DOCUMENT ID	c23a4aecc7401f01fb6483f53d508421fc11ca4a
STATUS	● Completed

Document History



SENT

05/03/2019
20:17:01 UTC

Sent for signature to Joshua Brumley
(joshua@brumleylawfirm.com) and Evan Oshan
(oshanlegal@gmail.com) from joshua@brumleylawfirm.com
IP: 24.22.223.62



VIEWED

06/02/2019
00:49:22 UTC

Viewed by Evan Oshan (oshanlegal@gmail.com)
IP: 208.54.37.183



SIGNED

06/02/2019
00:49:45 UTC

Signed by Evan Oshan (oshanlegal@gmail.com)
IP: 208.54.37.183



VIEWED

06/02/2019
00:50:53 UTC

Viewed by Joshua Brumley (joshua@brumleylawfirm.com)
IP: 172.56.35.43



SIGNED

06/02/2019
00:51:08 UTC

Signed by Joshua Brumley (joshua@brumleylawfirm.com)
IP: 172.56.35.43



COMPLETED

06/02/2019
00:51:08 UTC

The document has been completed.